

Chairman Linda W. Cropp,
at the request of the Mayor

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve the request of the District of Columbia government for appropriation and authorization authority the fiscal year ending September 30, 2004.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2004 Budget Request Act".

Sec. 2. The Council of the District of Columbia approves the following expenditure levels and appropriation language for the government of the District of Columbia for the fiscal year ending September 30, 2004.

DIVISION – A

DISTRICT OF COLUMBIA APPROPRIATION REQUEST

FEDERAL FUNDS

Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105-33; 111 Stat. 712), \$166,525,000, of which not to exceed \$25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002 (P.L. 107-302); of which not to exceed \$2,000 is for official receptions and representation expenses related to Community Supervision and Pretrial Services Agency Programs; of which \$103,904,000 shall be for necessary expenses of

1 Community Supervision and Sex Offender Registration, to include expenses relating to the
2 supervision of adults subject to protection orders or provision of services for or related to such
3 persons; of which \$25,210,000 shall be transferred to the Public Defender Service for the District
4 of Columbia to include expenses relating to the provision of legal representation and including
5 related services provided to the local courts and Criminal Justice Act bar; and of which
6 \$37,411,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding
7 any other provision of law, all amounts under this heading shall be apportioned quarterly by the
8 Office of Management and Budget and obligated and expended in the same manner as funds
9 appropriated for salaries and expenses of other Federal agencies: *Provided further*, That the
10 Director is authorized to accept and use gifts in the form of in-kind contributions of space and
11 hospitality to support offender and defendant programs, and equipment and vocational training
12 services to educate and train offenders and defendants: *Provided further*, That the Director shall
13 keep accurate and detailed records of the acceptance and use of any gift or donation under the
14 previous proviso, and shall make such records available for audit and public inspection.
15

16 Federal Payment to the District of Columbia Courts

17 For salaries and expenses for the District of Columbia Courts, \$163,819,000, to be
18 allocated as follows: for the District of Columbia Court of Appeals, \$8,775,000, of which not to
19 exceed \$1,500 is for official reception and representation expenses; for the District of Columbia
20 Superior Court, \$83,387,000, of which not to exceed \$1,500 is for official reception and
21 representation expenses; for the District of Columbia Court System, \$40,006,000, of which not to
22 exceed \$1,500 is for official reception and representation expenses; and \$31,651,000 for capital
23 improvements for District of Columbia courthouse facilities: *Provided further*, That
24 notwithstanding any other provision of law, all amounts under this heading shall be apportioned
25 quarterly by the Office of Management and Budget and obligated and expended in the same
26 manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll
27 and financial services to be provided on a contractual basis with the General Services
28 Administration (GSA), said services to include the preparation of monthly financial reports,
29 copies of which shall be submitted directly by GSA to the President and to the Committees on
30 Appropriations of the Senate and House of Representatives, the Committee on Governmental
31 Affairs of the Senate, and the Committee on Government Reform of the House of
32 Representatives: *Provided further*, That after providing notice to the Committees on
33 Appropriations of the Senate and House of Representatives and subject to reapportionment, the
34 District of Columbia Courts may reallocate funds provided under this heading for the Court of
35 Appeals, Superior Court, and Court System: *Provided further*, That such reallocation may
36 increase or decrease funding for such entity by no more than 2 percent. *Provided further*, That
37 funds made available for capital improvements may remain available until September 30, 2005.
38

39 Defender Services in District of Columbia Courts

40 For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code
41 (relating to representation provided under the District of Columbia Criminal Justice Act),
42 payments for counsel appointed in proceedings in the Family Division of the Superior Court of

1 the District of Columbia under chapter 23 of title 16, D.C. Code, and payments for counsel
2 authorized under section 21-2060, D.C. Code (relating to representation provided under the
3 District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act
4 of 1986), \$32,000,000, to remain available until expended: *Provided*, That the funds provided in
5 this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the
6 amount provided under such heading for capital improvements) may also be used for payments
7 under this heading and such funds shall be used to make such payments for obligations incurred
8 during any prior fiscal year, as determined by the Joint Committee on Judicial Administration in
9 the District of Columbia: *Provided further*, That of the amounts provided in previous fiscal years
10 for payments described under this heading which remain unobligated as of the date of the
11 enactment of this Act, such sums as may be necessary shall be applied toward any increases in
12 the maximum amounts which may be paid for representation services in the District of Columbia
13 courts: *Provided further*, That funds provided under this heading shall be administered by the
14 Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That
15 notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by
16 the Office of Management and Budget and obligated and expended in the same manner as funds
17 appropriated for expenses of other Federal agencies, with payroll and financial services to be
18 provided on a contractual basis with the General Services Administration (GSA), said services to
19 include the preparation of monthly financial reports, copies of which shall be submitted directly
20 by GSA to the President and to the Committees on Appropriations of the Senate and House of
21 Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on
22 Government Reform of the House of Representatives.

24 Federal Payment for Resident Tuition Support

25 For a Federal payment to the District of Columbia, to be deposited into a dedicated
26 account, for a nationwide program to be administered by the Mayor, for District of Columbia
27 resident tuition support, \$17,000,000, to remain available until expended: *Provided*, That such
28 funds, including any interest accrued thereon, may be used on behalf of eligible District of
29 Columbia residents to pay an amount based upon the difference between in-State and out-of-
30 State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible
31 private institutions of higher education: *Provided further*, That the awarding of such funds may
32 be prioritized on the basis of a resident's academic merit, the income and need of eligible
33 students and such other factors as may be authorized: *Provided further*, That the District of
34 Columbia government shall establish a dedicated account for the Resident Tuition Support
35 Program that shall consist of the Federal funds appropriated to the Program in this Act and any
36 subsequent appropriations, any unobligated balances from prior fiscal years, and any interest
37 earned in this or any fiscal year: *Provided further*, That the account shall be under the control of
38 the District of Columbia Chief Financial Officer who shall use those funds solely for the
39 purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the
40 Resident Tuition Support Program Office and the Office of the Chief Financial Officer shall
41 provide a quarterly financial report to the Committees on Appropriations of the Senate and
42 House of Representatives for these funds showing, by object class, the expenditures made and
43 the purpose therefor: *Provided further*, That not more than seven percent of the total amount

1 appropriated for this program may be used for administrative expenses.

2 FEDERAL SUPPORT FOR ECONOMIC DEVELOPMENT AND MANAGEMENT
3 REFORMS IN THE DISTRICT
4

5 Federal Payment to the District of Columbia for Anacostia River Walk and Trail
6 Construction
7

8 For a Federal Payment to the District of Columbia, Department of Transportation,
9 \$10,000,000, to remain available until September 30, 2005, for the design and construction of a
10 continuous pedestrian and bicycle trail system from the Potomac River to the District's border
11 with Maryland: Provided, That the District of Columbia will provide a report to the Committees
12 on Appropriations of the Senate and the House of Representatives and the President, to be
13 submitted no later than August 15, 2004, on the design plans, specifications, and estimates for
14 the construction of the entire trail.
15

16 Federal Payment District of Columbia Water and Sewer Authority.
17

18 For a Federal Payment to the District of Columbia Water and Sewer Authority,
19 \$15,000,000, to remain available until expended, for priority Anacostia projects within the
20 Combined Sewer Overflow and Long-Term Control Plan.
21

22 Federal Payment to the Criminal Justice Coordinating Council
23

24 For a Federal Payment to the Criminal Justice Coordinating Council, \$1,300,000, to hire
25 necessary staff and support initiatives related to coordination of local and federal criminal
26 justice resources in the District of Columbia, as authorized in P.L. 107-180.
27

28 Federal Payment for Emergency Planning and Security Costs in the District of Columbia
29

30 For necessary expenses, as determined by the Mayor of the District of Columbia in
31 written consultation with the elected county or city officials of surrounding jurisdictions,
32 \$15,000,000, to remain available until expended, to reimburse the District of Columbia for the
33 costs of public safety expenses related to the presence of the national capital in the District of
34 Columbia, and for the costs of providing support to respond to immediate and specific terrorist
35 threats or attacks in the District of Columbia or surrounding jurisdictions: *Provided*, That any
36 amount provided under this heading shall be available only after notice of its proposed use has
37 been transmitted by the President to Congress and such amount has been apportioned pursuant to
38 Chapter 15 of title 31, United States Code.
39

40 Federal Payment for Emergency Preparedness
41

1 For a Federal payment to the District of Columbia for emergency preparedness, \$158,940,000, to
2 remain available until expended, of which \$28,000,000 shall be for Secure Date for Mission
3 Critical Agencies, \$8,000,000 shall be for Cyberterrorism Containment and Social Support,
4 \$18,500,000 shall be for Information Security Enhancements, \$46,000,000 shall be for Unified
5 Communications Center, \$15,000,000 shall be for Safe Routes Infrastructure, \$41,000,000 shall
6 be for Traffic Signal Controllers, and \$2,440,000 shall be for Remote Live Television.

7
8 Federal Payment for District Infrastructure
9

10 For a Federal Payment to the District of Columbia \$ 50,000,000, to remain available until
11 expended for an infrastructure fund to be administered within the District of Columbia.

12
13 Federal Payment for Public Safety
14

15 For a Federal payment to the District of Columbia for Public Safety, \$75,000,000, to remain
16 available until expended, for a Forensic Health and Science Laboratory
17

18 Federal Payment for Human Support Services
19

20 For a Federal payment to the District of Columbia for Human Support Services, \$18,230,000, to
21 remain available until expended, of which \$8,000,000 shall be for upgrades at the St. Elizabeths
22 campus, \$230,000 shall be for the Family Court liaison, and \$10,000,000 shall be for substance
23 abuse residential treatment facilities.
24

25 Federal Payment for Education
26

27 For a Federal payment to the District of Columbia for Education, \$22,000,000, to remain
28 available until expended, of which \$4,000,000 shall be for a literacy program, \$6,000,000 shall
29 be for Special Education satellite facilities, \$5,000,000 shall be for Special Education
30 transportation, and \$7,000,000 shall be for the McKinley Technology High School.
31

32 Federal Payment for Anacostia Waterfront Initiatives
33

34 For a Federal payment to the District of Columbia for Anacostia Waterfront Initiatives,
35 \$31,500,000, to remain available until expended, of which \$5,000,000 shall be for a Light Rail
36 Anacostia Starter Line, \$2,000,000 shall be for the Anacostia River Crossing and Freeway Study,
37 \$1,500,000 shall be for the SW Waterfront Transportation Center, \$20,000,000 shall be for the
38 Heritage-Kingman Island Development Project, and \$3,000,000 shall be for Anacostia River
39 Watershed Restoration.
40

41 Federal Payment for Transportation
42

43 For a Federal payment to the District of Columbia to support Transportation initiatives,

1 \$106,000,000 to remain available until expended, of which \$28,000,000 shall be for the 9th
2 Street NE Bridge project, \$25,000,000 shall be for the Transit Oriented Enticement Fund,
3 \$50,000,000 shall be for a Washington Metropolitan Area Transit Authority Capital Fund, and
4 \$3,000,000 shall be for a Bus Rapid Transit Study.

5
6
7 DISTRICT OF COLUMBIA FUNDS
8 OPERATING EXPENSES
9 Division of Expenses
10

11 The following amounts are appropriated for the District of Columbia for the current fiscal
12 year out of the general fund of the District of Columbia, except as otherwise specifically
13 provided: *Provided*, That notwithstanding any other provision of law, except as provided in
14 section 450A of the District of Columbia Home Rule Act and section 119 of this Act (D.C.
15 Official Code, sec. 1-204.50a), the total amount appropriated in this Act for operating expenses
16 for the District of Columbia for fiscal year 2003 under this heading shall not exceed the lesser of
17 the sum of the total revenues of the District of Columbia for such fiscal year or \$6,501,816,000
18 (of which \$3,800,170,000 shall be from local funds, \$1,582,766,000 shall be from Federal funds,
19 and \$841,110,000 shall be from other funds): *Provided further*, That this amount may be
20 increased by proceeds of one-time transactions, which are expended for emergency or
21 unanticipated operating or capital needs: *Provided further*, That such increases shall be approved
22 by enactment of local District law and shall comply with all reserve requirements contained in
23 the District of Columbia Home Rule Act as amended by this Act: *Provided further*, That the
24 Chief Financial Officer of the District of Columbia shall take such steps as are necessary to
25 assure that the District of Columbia meets these requirements, including the apportioning by the
26 Chief Financial Officer of the appropriations and funds made available to the District during
27 fiscal year 2003, except that the Chief Financial Officer may not reprogram for operating
28 expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

29
30 Governmental Direction and Support
31

32 Governmental direction and support, \$269,751,000 (including \$212,212,000 from local
33 funds, \$40,701,000 from Federal funds, and \$16,838,000 from other funds): *Provided*, That not
34 to exceed \$2,500 for the Mayor, \$2,500 for the Chairman of the Council of the District of
35 Columbia, \$2,500 for the City Administrator, and \$2,500 for the Office of the Chief Financial
36 Officer shall be available from this appropriation for official purposes: *Provided further*, That
37 any program fees collected from the issuance of debt shall be available for the payment of
38 expenses of the debt management program of the District of Columbia: *Provided further*, That no
39 revenues from Federal sources shall be used to support the operations or activities of the
40 Statehood Commission and Statehood Compact Commission: *Provided further*, That the District
41 of Columbia shall identify the sources of funding for Admission to Statehood from its own
42 locally generated revenues: *Provided further*, That notwithstanding any other provision of law, or
43 Mayor's Order 86-45, issued March 18, 1986, the Office of the Chief Technology Officer's

1 delegated small purchase authority shall be \$500,000: *Provided further*, That the District of
2 Columbia government may not require the Office of the Chief Technology Officer to submit to
3 any other procurement review process, or to obtain the approval of or be restricted in any manner
4 by any official or employee of the District of Columbia government, for purchases that do not
5 exceed \$500,000: *Provided further*, That not to exceed \$25,000 of the funds in the Antifraud
6 Fund established pursuant to section 820 of the District of Columbia Procurement Practices Act
7 of 1985 (D.C. Law 6-85; D.C. Official Code, sec. 2-308.20).

8 9 Economic Development and Regulation

10
11 Economic development and regulation, \$220,469,000 (including \$54,495,000 from local
12 funds, \$91,077,000 from Federal funds, and \$74,772,000 from other funds).

13 14 Public Safety and Justice

15
16 Public safety and justice, \$750,988,000 (including \$727,459,000 from local funds,
17 \$11,590,000 from Federal funds, and \$11,930,000 from other funds): *Provided*, That not to
18 exceed \$500,000 shall be available from this appropriation for the Chief of Police for the
19 prevention and detection of crime: *Provided further*, That not less than \$170,000 shall be for the
20 Corrections Information Council, established by section 11201(g) of the National Capital
21 Revitalization and Self-Government Improvement Act of 1997 (D.C. Official Code, sec. 24-
22 101(h)), to support its operations and perform its duties: *Provided further*, That the Mayor shall
23 reimburse the District of Columbia National Guard for expenses incurred in connection with
24 services that are performed in emergencies by the National Guard in a militia status and are
25 requested by the Mayor, in amounts that shall be jointly determined and certified as due and
26 payable for these services by the Mayor and the Commanding General of the District of
27 Columbia National Guard: *Provided further*, That such sums as may be necessary for
28 reimbursement to the District of Columbia National Guard under the preceding proviso shall be
29 available from this appropriation, and the availability of the sums shall be deemed as constituting
30 payment in advance for emergency services involved.

31 32 33 Public Education System 34 (INCLUDING TRANSFERS OF FUNDS) 35

36 Public education system, including the development of national defense education
37 programs, \$1,163,056,000 (including \$958,250,000 from local funds, \$173,709,000 from Federal
38 funds, \$26,795,000 from other funds, to be allocated as follows:

39 (1) DISTRICT OF COLUMBIA PUBLIC SCHOOLS- \$860,972,000 (including \$736,097,000
40 from local funds, \$114,749,000 from Federal funds, \$6,527,000 from other funds) shall be
41 available for District of Columbia Public Schools: *Provided*, That notwithstanding any other
42 provision of law, rule, or regulation, the evaluation process and instruments for evaluating
43 District of Columbia Public School employees shall be a non-negotiable item for collective
44 bargaining purposes: *Provided further*, That this appropriation shall not be available to subsidize

1 the education of any nonresident of the District of Columbia at any District of Columbia public
2 elementary and secondary school during fiscal year 2003 unless the nonresident pays tuition to
3 the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of
4 Columbia which are attributable to the education of the nonresident (as established by the
5 Superintendent of the District of Columbia Public Schools): *Provided further*, That
6 notwithstanding the amounts otherwise provided under this heading or any other provision of
7 law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2003, an
8 amount equal to 10 percent of the total amount provided for the District of Columbia Public
9 Schools in the proposed budget of the District of Columbia for fiscal year 2004 (as submitted to
10 Congress), and the amount of such payment shall be chargeable against the final amount
11 provided for the District of Columbia Public Schools under the District of Columbia
12 Appropriations Act, 2004: *Provided further*, That not to exceed \$2,500 for the Superintendent of
13 Schools shall be available from this appropriation for official purposes.

14 (2) STATE EDUCATION OFFICE- \$55,740,000 (including \$9,947,000 from local funds,
15 \$45,617,000 from Federal funds, and \$176,000 from other funds), shall be available for the State
16 Education Office: *Provided*, That of the amounts provided to the State Education Office,
17 \$500,000 from local funds shall remain available until June 30, 2004 for an audit of the student
18 enrollment of each District of Columbia Public School and of each District of Columbia public
19 charter school.

20 (3) DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOLS- \$137,031,000 from local
21 funds shall be available for District of Columbia public charter schools: *Provided*, That there
22 shall be quarterly disbursement of funds to the District of Columbia public charter schools, with
23 the first payment to occur within 15 days of the beginning of the fiscal year: *Provided further*,
24 That if the entirety of this allocation has not been provided as payments to any public charter
25 school currently in operation through the per pupil funding formula, the funds shall be available
26 for public education in accordance with section 2403(b)(2) of the District of Columbia School
27 Reform Act of 1995 (D.C. Official Code, sec. 38-1804.03(b)(2)): *Provided further*, That of the
28 amounts made available to District of Columbia public charter schools, \$25,000 shall be made
29 available to the Office of the Chief Financial Officer as authorized by section 2403(b)(5) of the
30 District of Columbia School Reform Act of 1995 (D.C. Official Code, sec. 38-1804.03(b)(6)):
31 *Provided further*, That \$660,000 of this amount shall be available to the District of Columbia
32 Public Charter School Board for administrative costs: *Provided further*, That notwithstanding the
33 amounts otherwise provided under this heading or any other provision of law, there shall be
34 appropriated to the District of Columbia public charter schools on July 1, 2003, an amount equal
35 to 25 percent of the total amount provided for payments to public charter schools in the proposed
36 budget of the District of Columbia for fiscal year 2004 (as submitted to Congress), and the
37 amount of such payment shall be chargeable against the final amount provided for such payments
38 under the District of Columbia Appropriations Act, 2004.

39 (4) UNIVERSITY OF THE DISTRICT OF COLUMBIA- \$80,429,000 (including \$48,424,000
40 from local funds, \$11,867,000 from Federal funds, and \$19,434,000 from other funds) shall be
41 available for the University of the District of Columbia: *Provided*, That this appropriation shall
42 not be available to subsidize the education of nonresidents of the District of Columbia at the
43 University of the District of Columbia, unless the Board of Trustees of the University of the

District of Columbia adopts, for the fiscal year ending September 30, 2003, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: *Provided further*, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the University of the District of Columbia on July 1, 2003, an amount equal to 10 percent of the total amount provided for the University of the District of Columbia in the proposed budget of the District of Columbia for fiscal year 2004 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the University of the District of Columbia under the District of Columbia Appropriations Act, 2004: *Provided further*, That not to exceed \$2,500 for the President of the University of the District of Columbia shall be available from this appropriation for official purposes.

(5) DISTRICT OF COLUMBIA PUBLIC LIBRARIES- \$26,787,000 (including \$25,250,000 from local funds, \$1,000,000 from Federal funds, and \$537,000 from other funds) shall be available for the District of Columbia Public Libraries: *Provided*, That not to exceed \$2,000 for the Public Librarian shall be available from this appropriation for official purposes.

(6) COMMISSION ON THE ARTS AND HUMANITIES- \$2,096,000 (including \$1,501,000 from local funds, \$475,000 from Federal funds, and \$120,000 from other funds) shall be available for the Commission on the Arts and Humanities.

Human Support Services (INCLUDING TRANSFER OF FUNDS)

Human support services, \$2,372,788,000 (including \$1,096,172,000 from local funds, \$1,245,415,000 from Federal funds, \$21,870,000 from other funds) of which \$25,560,000 shall be made remain available until expended for deposit in the Medicaid and Special Education Reform Fund established pursuant to the Medicaid and Special Education Reform Fund Establishment Act of 2002, effective October 01, 2002 (D.C. Law 14-190; D.C. Official Code 4-204.55): *Provided*, That the funds deposited in the Medicaid and Special Education Reform Fund are allocated as follows: no more than, \$6,816,000 for District of Columbia Public Schools, no more than \$ 15,600,000 for Child and Family Services Agency, and no more than \$3,144,000 to be used citywide for the purposes establish for the fund in local law: *Provided further*, That \$27,959,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation.

Public Works

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, \$330,568,000 (including \$311,756,000 from local funds, \$5,274,000 from Federal funds, and \$13,537,000 from other funds): *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

Emergency and Contingency Reserve Funds

For the emergency reserve fund and the contingency reserve fund under section 450A of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.50a), such amounts from local funds to meet the fiscal year 2004 minimum balance requirements for such funds under such section.

Repayment of Loans and Interest

For payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act (D.C. Official Code, secs. 1-204.62, 1-204.75, and 1-204.90), \$312,284,000 from local funds: *Provided*, That for equipment leases, the Mayor may finance \$14,300,000 of equipment cost, plus cost of issuance not to exceed 2 percent of the par amount being financed on a lease purchase basis with a maturity not to exceed 5 years.

Payment of Interest on Short-Term Borrowing

For payment of interest on short-term borrowing, \$3,000,000 from local funds.

Certificates of Participation

For principal and interest payments on the District's Certificates of Participation, issued to finance the ground lease underlying the building located at One Judiciary Square, \$4,911,000 from local funds.

Settlements and Judgments

For making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government, \$22,822,000: *Provided*, That this appropriation shall not be construed as modifying or affecting the provisions of section 103 of this Act.

Wilson Building

For expenses associated with the John A. Wilson Building, \$4,597,000 from local funds.

Workforce Investments

For workforce investments, \$15,756,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for which employees are properly payable.

1
2 Non-Departmental Agency
3

4 To account for anticipated costs that cannot be allocated to specific agencies during the
5 development of the proposed budget, including anticipated employee health insurance cost
6 increases and contract security costs, \$21,528,000 (including \$11,455,000 from local funds to be
7 derived from a transfer from the fund balance, and \$10,073,000 from other funds).
8

9 Tax Increment Financing Program
10

11 For a Tax Increment Financing Program, \$15,000,000 from local funds.
12

13 Cash Reserve
14

15 For the cumulative cash reserve established pursuant to section 202(j)(2) of the District of
16 Columbia Financial Responsibility and Management Assistance Act of 1995 (D.C. Official
17 Code, sec. 47-392.02(j)(2)), \$50,000,000 from the local funds.
18

19
20 ENTERPRISE AND OTHER FUNDS
21

22 Water and Sewer Authority
23

24 For operation of the Water and Sewer Authority, \$259,095,000 from other funds, of
25 which \$18,692,000 shall be apportioned for repayment of loans and interest incurred for capital
26 improvement projects and payable to the District's debt service fund. For construction projects,
27 \$199,807,000, to be distributed as follows: \$99,449,000 for the Blue Plains Wastewater
28 Treatment Plant, \$16,739,000 for the sewer program, \$42,047,000 for the combined sewer
29 program, \$5,993,000 for the stormwater program, \$24,431,000 for the water program, and
30 \$11,148,000 for the capital equipment program.
31

32 Washington Aqueduct
33

34 For operation of the Washington Aqueduct, \$55,553,000 from other funds.
35

36 Stormwater Permit Compliance Enterprise Fund
37

38 For operation of the Stormwater Permit Compliance Enterprise Fund, \$3,501,000 from
39 other funds.
40

41 Lottery and Charitable Games Enterprise Fund
42

43 For the Lottery and Charitable Games Enterprise Fund, established by the District of

1 Columbia Appropriation Act, 1982, for the purpose of implementing the Law to Legalize
2 Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District
3 of Columbia (D.C. Law 3-172; D.C. Official Code, sec. 3-1301 et seq. and sec. 22-1716 et seq.),
4 \$242,755,000: *Provided*, That the District of Columbia shall identify the source of funding for
5 this appropriation title from the District's own locally generated revenues: *Provided further*, That
6 no revenues from Federal sources shall be used to support the operations or activities of the
7 Lottery and Charitable Games Control Board.

8
9 Sports and Entertainment Commission

10
11 For the Sports and Entertainment Commission, \$13,979,000 from local funds.
12

13
14 District of Columbia Retirement Board

15
16 For the District of Columbia Retirement Board, established pursuant to section 121 of the
17 District of Columbia Retirement Reform Act of 1979 (D.C. Official Code, sec. 1-711),
18 \$13,895,000 from the earnings of the applicable retirement funds to pay legal, management,
19 investment, and other fees and administrative expenses of the District of Columbia Retirement
20 Board: *Provided*, That the District of Columbia Retirement Board shall provide to the Congress
21 and to the Council of the District of Columbia a quarterly report of the allocations of charges by
22 fund and of expenditures of all funds: *Provided further*, That the District of Columbia Retirement
23 Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an
24 itemized accounting of the planned use of appropriated funds in time for each annual budget
25 submission and the actual use of such funds in time for each annual audited financial report.
26

27 Washington Convention Center Enterprise Fund

28
29 For the Washington Convention Center Enterprise Fund, \$69,742,000 from other funds.
30

31 National Capital Revitalization Corporation

32
33 For the National Capital Revitalization Corporation, \$6,775,000 from other funds.
34

35 Capital Outlay
36 (INCLUDING RESCISSIONS)

37
38 For construction projects, an increase of \$647,314,000 from local funds, and a rescission
39 of \$109,760,000 from local funds appropriated under this heading in prior fiscal years, for a net
40 amount of \$537,554,000, to remain available until expended: *Provided*, That funds for use of
41 each capital project implementing agency shall be managed and controlled in accordance with all
42 procedures and limitations established under the Financial Management System: *Provided*
43 *further*, That all funds provided by this appropriation title shall be available only for the specific
44 projects and purposes intended.

1
2
3 GENERAL PROVISIONS
4

5 SEC. 101. Whenever in this Act, an amount is specified within an appropriation for
6 particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be
7 considered as the maximum amount that may be expended for said purpose or object rather than
8 an amount set apart exclusively therefor.
9

10 SEC. 102. Appropriations in this Act shall be available for expenses of travel and for the
11 payment of dues of organizations concerned with the work of the District of Columbia
12 government, when authorized by the Mayor: *Provided*, That in the case of the Council of the
13 District of Columbia, funds may be expended with the authorization of the Chairman of the
14 Council.
15

16 SEC. 103. There are appropriated from the applicable funds of the District of Columbia
17 such sums as may be necessary for making refunds and for the payment of legal settlements or
18 judgments that have been entered against the District of Columbia government: *Provided*, That
19 nothing contained in this section shall be construed as modifying or affecting the provisions of
20 section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947
21 (D.C. Official Code, sec. 47-1812.11(c)(3)).
22

23 SEC. 104. No part of any appropriation contained in this Act shall remain available for
24 obligation beyond the current fiscal year unless expressly so provided herein.
25

26 SEC. 105. (a) Except as provided in subsection (b), no Federal funds provided by this
27 appropriation shall be used for publicity or propaganda purposes or implementation of any policy
28 including boycott designed to support or defeat legislation pending before Congress or any State
29 legislature.
30

31 (b) The District of Columbia may use local funds provided in this Act to carry out lobbying
32 activities on any matter other than--

33 (1) the promotion or support of any boycott; or

34 (2) statehood for the District of Columbia or voting representation in Congress for the District of
35 Columbia.
36

37 (c) Nothing in this section may be construed to prohibit any elected official from advocating with
38 respect to any of the issues referred to in subsection (b).
39

40 SEC. 106. (a) None of the funds provided under this Act to the agencies funded by this
41 Act, both Federal and District government agencies, that remain available for obligation or
42 expenditure in fiscal year 2004, or provided from any accounts in the Treasury of the United
43 States derived by the collection of fees available to the agencies funded by this Act, shall be
44 available for obligation or expenditure for an agency through a reprogramming of funds which--
45 (1) creates new programs;

(2) eliminates a program, project, or responsibility center;
(3) establishes or changes allocations specifically denied, limited or increased under this Act;
(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;
(5) reestablishes any program or project previously deferred through reprogramming;
(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of \$1,000,000 or 10 percent, whichever is less; or
(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,
unless the Committees on Appropriations of the House of Representatives and Senate are notified in writing 30 days in advance of the reprogramming.
(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are notified in writing 30 days in advance of the transfer, except that in no event may the amount of any funds transferred exceed 8 percent of the local funds in the appropriation.

SEC. 107. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139; D.C. Official Code, sec. 1-601.01 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.22(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

SEC. 108. No later than 30 days after the end of the first quarter of fiscal year 2004, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate the new fiscal year 2004 revenue estimates as of the end of such quarter. These estimates shall be used in the budget request for fiscal year 2005. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 109. (a)(1) An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 2004 and any subsequent fiscal year if--
(A) the Mayor approves the acceptance and use of the gift or donation (except as provided in paragraph (2)); and
(B) the entity uses the gift or donation to carry out its authorized functions or duties.
(2) The Council of the District of Columbia and the District of Columbia courts may accept and use gifts without prior approval by the Mayor.
(b) Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a), and shall make such records available for audit and public inspection.
(c) For the purposes of this section, the term 'entity of the District of Columbia government'

1 includes an independent agency of the District of Columbia.

2 (d) This section shall not apply to the District of Columbia Board of Education, which may,
3 pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the
4 public schools without prior approval by the Mayor.

5
6 SEC. 110. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation
7 with the Chief Financial Officer of the District of Columbia may accept, obligate, and expend
8 Federal, private, and other grants received by the District government that are not reflected in the
9 amounts appropriated in this Act.

10 (b) No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to
11 subsection (a) until--

12 (1) the Chief Financial Officer of the District of Columbia submits to the Council a report setting
13 forth detailed information regarding such grant; and

14 (2) the Council has reviewed and approved the acceptance, obligation, and expenditure of such
15 grant or other fund. Within 14 calendar days of receipt of the report submitted under paragraph

16 (1) the Council shall be deemed to have provided such approval if no written notice of
17 disapproval is filed with the Secretary to the Council within 14 calendar days of the receipt of the
18 report from the Chief Financial Officer, and no oral notice of disapproval is given during a
19 meeting of the Council during such 14 calendar day period. If notice of disapproval is given
20 during such initial 14-calendar day period, the Council may approve or disapprove the
21 acceptance, obligation or expenditure of the grant or other fund by resolution within 30 calendar
22 days of the initial receipt of the report from the Chief Financial Officer, or such certification shall
23 be deemed to be approved.

24 (c) No amount may be obligated or expended from the general fund or other funds of the District
25 of Columbia government in anticipation of the approval or receipt of a grant under subsection
26 (b)(2) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject
27 to such subsection.

28 (d) The Chief Financial Officer of the District of Columbia shall prepare a quarterly report
29 setting forth detailed information regarding all Federal, private, and other grants subject to this
30 section. Each such report shall be submitted to the Council of the District of Columbia and to the
31 Committees on Appropriations of the House of Representatives and Senate not later than 15 days
32 after the end of the quarter covered by the report.

33
34 SEC. 111. No later than 30 calendar days after the date of the enactment of this Act, the
35 Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of
36 Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds
37 operating budget in the format of the budget that the District of Columbia government submitted
38 pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-
39 204.42), for all agencies of the District of Columbia government for fiscal year 2003 that is in the
40 total amount of the approved appropriation and that realigns all budgeted data for personal
41 services and other-than-personal-services, respectively, with anticipated actual expenditures.

42
43 SEC. 112. None of the funds contained in this Act may be used to issue, administer, or

1 enforce any order by the District of Columbia Commission on Human Rights relating to docket
2 numbers 93-030-(PA) and 93-031-(PA).

3
4 SEC. 113. In addition to any other authority to pay claims and judgments, any
5 department, agency, or instrumentality of the District government may pay the settlement or
6 judgment of a claim or lawsuit in an amount less than \$10,000, in accordance with the Risk
7 Management for Settlements and Judgments Amendment Act of 2000 (D.C. Law 13-172; D.C.
8 Official Code, sec. 2-402).

9
10 SEC. 114. Notwithstanding any other law, the District of Columbia Courts shall transfer
11 to the general treasury of the District of Columbia all fines levied and collected by the Courts in
12 cases charging Driving Under the Influence and Driving While Impaired. The transferred funds
13 shall remain available until expended and shall be used by the Office of the Corporation Counsel
14 for enforcement and prosecution of District traffic alcohol laws in accordance with section
15 10(b)(3) of the District of Columbia Traffic Control Act (D.C. Official Code, sec. 50-
16 2201.05(b)(3)).

17
18 SEC. 115. From the local funds appropriated under this Act, any agency of the District
19 government may transfer to the Office of Labor Relations and Collective Bargaining (OLRCB)
20 such amounts as may be necessary to pay for representation by OLRCB in third-party cases,
21 grievances, and dispute resolution, pursuant to an intra-District agreement with OLRCB. These
22 amounts shall be available for use by OLRCB to reimburse the cost of providing the
23 representation.

24
25 SEC. 116. None of the funds contained in this Act may be made available to pay--
26 (1) the fees of an attorney who represents a party in an action or an attorney who defends any
27 action, including an administrative proceeding, brought against the District of Columbia Public
28 Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in excess
29 of \$4,000 for that action; or
30 (2) the fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia
31 determines to have a pecuniary interest, either through an attorney, officer or employee of the
32 firm, in any special education diagnostic services, schools, or other special education service
33 providers.

34
35 SEC. 117. The Chief Financial Officer of the District of Columbia shall require attorneys
36 in special education cases brought under the Individuals with Disabilities Act (IDEA) in the
37 District of Columbia to certify in writing that the attorney or representative rendered any and all
38 services for which they receive awards, including those received under a settlement agreement or
39 as part of an administrative proceeding, under the IDEA from the District of Columbia:
40 *Provided*, That as part of the certification, the Chief Financial Officer of the District of Columbia
41 require all attorneys in IDEA cases to disclose any financial, corporate, legal, memberships on
42 boards of directors, or other relationships with any special education diagnostic services, schools,
43 or other special education service providers to which the attorneys have referred any clients as

1 part of this certification: *Provided further*, That the Chief Financial Officer shall prepare and
2 submit quarterly reports to the Committees on Appropriations of the Senate and the House of
3 Representatives on the certification of and the amount paid by the government of the District of
4 Columbia, including the District of Columbia Public Schools, to attorneys in cases brought under
5 IDEA: *Provided further*, That the Inspector General of the District of Columbia may conduct
6 investigations to determine the accuracy of the certifications.

7
8 SEC. 118. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation
9 with the Chief Financial Officer of the District of Columbia may expend funds that are not
10 reflected in the amounts appropriated in this Act to implement activities designed to improve the
11 collection of taxes and revenue within the District: Provided, That such increase is collections are
12 estimated to be at least twice the increase in expenditure necessary to implement the activity:
13 Provided further, That such activity shall be approved by the Council, contingent upon (A) no
14 written notice of disapproval being filed with the Secretary to the Council within 14-calendar
15 days of the delivery of a request to Council by the Secretary of the Council from the Mayor, and
16 no oral notice of disapproval is given during a meeting of the Council during such 14-calendar
17 day period, the request shall be deemed to be approved and (B) should notice of disapproval be
18 given during such initial 14-calendar day period, the Council may approve or disapprove the
19 request by resolution within 30 calendar days of the initial receipt of the request from the Mayor,
20 or such request shall be deemed to be approved: *Provided further*, That such increases shall
21 comply with all reserve requirements contained in the District of Columbia Home Rule Act as
22 amended.

23
24 SEC. 119. Wherever within this Act Federal funds are appropriated to or through the
25 District for the express purpose of transmission to a non-District Government entity as, or similar
26 to, a pass-through payment, the District shall have executed its fiduciary duties and
27 responsibilities upon the transmission of such funds to the non-District government entity.

28
29 SEC. 120. (a) The amount appropriated by this Act as Other Type Funds may be
30 increased by no more 25 percent to account for an unanticipated growth in revenue collections.

31 (b) Conditions on Use - The District of Columbia may obligate or expend these amounts only
32 in accordance with the following conditions:

33 (1) Certification by the Chief Financial Officer - The Chief Financial Officer of the District
34 of Columbia shall certify that anticipated revenue collections support an increase in
35 Other Type authority in the amount requested.

36 (2) Notice Requirement - The amounts may be obligated or expended only if the Mayor
37 notifies the Committees on Appropriations of the House of Representatives and Senate in
38 writing 30 days in advance of any obligation or expenditure

39
40 SEC. 121. (a) The amount appropriated by this Act may be increased by no more than
41 \$15,000,000 from funds identified in the comprehensive annual financial report as the District of
42 Columbia's fund balance;

43 (b) Conditions on Use - The District of Columbia may obligate or expend these amounts only in

1 accordance with the following conditions:

2 (1) Certification by the Chief Financial Officer - The Chief Financial Officer of the District of
3 Columbia shall certify that:

4 (A) The use of the any such amounts is not anticipated to have a negative impact on the
5 District of Columbia's long-term financial, fiscal, and economic vitality.

6 (2) Purpose - The District of Columbia may only use these funds for the following expenditures:

7 (A) Unanticipated one-time expenditures;

8 (B) To address potential deficits;

9 (C) Debt Reduction;

10 (D) Unanticipated Program needs; or

11 (E) To cover revenue shortfalls

12 (3) Local Law - The amounts shall be obligated or expended in accordance with laws enacted by
13 the Council in support of each such obligation or expenditure.

14 (4) Receivership - The amounts may not be used to fund the agencies of the District of Columbia
15 government under court ordered receivership.

16 (5) Notice Requirement - The amounts may be obligated or expended only if the Mayor notifies
17 the Committees on Appropriations of the House of Representatives and Senate in writing 30
18 days in advance of any obligation or expenditure.

19 (6) Availability of Funds - Funds made available pursuant to this section shall remain available
20 until expended.

21 This division may be cited as the "District of Columbia Appropriations Act, 2004"

22 23 DIVISION – B

24 DISTRICT OF COLUMBIA AUTHORIZING REQUEST

25 26 SEC. 201. FIFTY MODIFIED CALENDAR DAY BUDGET REVIEW PERIOD.

27 Section 446 of Part D of Title IV of the District of Columbia Home Rule Act, approved
28 December 24, 1973 (87 Stat. 777; D.C. Official Code, sec. 1-204.46), is amended by striking the
29 phrase "within 50 calendar days" and inserting the phrase "within 50 calendar days, excluding
30 days of Council recess," in its place.

31
32 SEC. 202. Section 452 of the District of Columbia Home Rule Act, approved December
33 24, 1973 (87 Stat. 803; D.C. Official Code, sec. 1-204.52), is amended as follows:

34 (a) The existing language is designated as subsection (a).

35 (b) New subsections (b) and (c) are added to read as follows:

36 "(b) By March 1 of each year, or no later than the Mayor's annual submission of the
37 budget pursuant to section 442, the Board of Education shall submit to the Council a budget
38 detailing how the Mayor's proposed budget for the District of Columbia Public Schools shall be
39 spent. The Board's submission shall allocate all monies by responsibility center and object class.

40
41 "(c) The submission shall also include a presentation that specifies the monies budgeted
42 for each school. In order that the Council and the public may know the totality of funds, goods,

1 and services that will be provided directly to the local schools, the presentation shall specify (1)
2 the funds available to each school, for which the decision to spend is made by the school's local
3 school restructuring team, and (2) any other responsibility center funds, the spending of which
4 directly benefits local schools (e.g., textbooks, substitute teachers, transportation,
5 maintenance/engineers, nurses, teachers salaries).".
6
7

8 SEC. 203. The third sentence of section 441 of the District of Columbia Home Rule Act,
9 approved December 24, 1973 (87 Stat. 798; D.C. Official Code, sec. 1-204.41), is amended to
10 read as follows:

11 "However, the fiscal year for the Armory Board shall begin on the first day of January and
12 shall end on the thirty-first day of December of each calendar year, and, beginning the first day of
13 July 2005, the fiscal year for the University of the District of Columbia shall begin on the first
14 day of July and end on the thirtieth day of June of each calendar year."
15
16

17 SEC. 204. To amend §2204(c)(11)(B)(ix); DC Official Code §38-1802.04(c)(11)(B)(ix),
18 of the District of Columbia School Reform Act of 1995, as amended, to read as follows:

19 "(ix) A financial statement audited by an independent certified public accountant in
20 accordance with Government auditing standards for financial audits issued by the Comptroller
21 General of the United States: *Provided*, That the Chief Financial Officer for the District of
22 Columbia shall establish the policies and procedures for performing the audit no later than
23 September 30, 2003. Beginning on October 01, 2003 and thereafter, all annual audits for public
24 charter schools shall be in compliance with these policies and procedures: *Provided further*, That
25 all District of Columbia Chartering Authorities shall submit their annual audit to the Chief
26 Financial Officer for the District of Columbia no later than January 1st of each school year;"
27
28

29 SEC. 205. "Notwithstanding any other law, section 110(d)(1)(B)(i) of the Technical
30 Amendments Act of 1999, adopted by the Council of the District of Columbia, is enacted into
31 law."
32

33 SEC. 206. The District of Columbia government is exempt from the overtime provisions
34 in section 7 of the Fair Labor Standards Act (29 U.S.C. § 207) when employees are on a
35 compressed work schedule up to 80 hours per pay period.
36

37 SEC. 208. The paragraph under the heading "Lottery and Charitable Games Enterprise
38 Fund" in the District of Columbia Appropriations Act, 1982, approved December 4, 1981 (95
39 Stat. 1174; Public Law 97-91), is amended by striking the 11th proviso in its entirety.
40

41 SEC. 209. EQUALITY IN BANK REGULATION
42

43 SECTION 1. SHORT TITLE.

1
2 This Act may be cited as the “Equality in Bank Regulation Act of 2001”
3

4 SEC. 2. FINDINGS AND PURPOSES.
5

6 The Congress finds that –
7

8 (1) the District of Columbia is the only jurisdiction, including all of the states, Puerto Rico,
9 American Samoa, and Guam, where the Office of the Comptroller of the Currency is the
10 principal federal regulator for banks chartered by the state or territory; and (2) there is no
11 ascertainable basis either in law or bank regulatory policy to continue this unique approach to the
12 District of Columbia; (3) in all other state and territories, with the exception of the District of
13 Columbia, the state or territorial bank regulators and the Federal Deposit Insurance Corporation
14 share jurisdiction over banks with the Federal Deposit Insurance Corporation acting as the
15 appropriate federal regulator and the state agency acting as the primary non-federal banking
16 regulator; (4) the District of Columbia has a Commissioner of Banks, a Deputy Commissioner of
17 Banks, on staff bank examiners, and a system of regulation that would permit it to function in the
18 same capacity as any state or territory does in conjunction with the Federal Deposit Insurance
19 Corporation; (5) local regulation would encourage more lending and economic development in
20 the District of Columbia; and (6) it is appropriate to provide the District of Columbia with the
21 identical system of dual banking regulation for District chartered banks that all other states and
22 territories currently have.

23 TITLE I --- AMENDMENT OF THE FEDERAL DEPOSIT INSURANCE ACT

24 SEC. 101. DEFINITIONS

25 Section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813) is amended –

- 26 (a) in subsection (a)(1)(A), by striking “and District bank”;
27 (b) in subsection (a)(4) by striking the subsection in its entirety and all references thereto in
28 the Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.);
29 (c) in subsection (q)(1) by striking “any District bank,”;
30 (d) in subsection (q)(2)(A) by striking “(except a District bank)”; and
31 (e) in subsection (q)(3) by striking “(except a District bank)”.

32 SEC. 102. ADMINISTRATION OF CORPORATION

33 Section 10(b)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1820(b)(2)(A)) is
34 amended by striking “(except a District bank)”.

35 SEC. 103. INSURANCE FUNDS; CONSERVATORSHIP AND RECEIVERSHIP
36 POWERS OF CORPORATION

37 Section 11 of the Federal Deposit Insurance Act (12 U.S.C. 1821) is amended –

- 38 (a) in subsection (c)(2)(A)(i) by striking “or District bank”;
39 (b) in subsection (c)(2)(A)(ii) by striking “or District bank”, and
40 (c) in subsection (c)(3)(A) by striking “(other than a District depository institution)”.

41 SEC. 104. REGULATIONS GOVERNING INSURED DEPOSITORY INSTITUTIONS

42 Section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813) is amended –

- 43 (a) in subsection (c)(2)(A) by striking “or a District bank”;

(b) in subsection (c)(2)(B) by striking “ (except a District bank)”;
(c) in subsection (c)(2)(C) by striking “a District Bank or”;
(d) in subsection (d)(1) by striking “(except a District bank)” in all places that the phrase occurs;
(e) in subsection (A) by striking “(except a District bank)”;
(f) in subsection (j)(2)(A) by striking the entire subsection
(g) in subsection (j)(2)(B) by striking “(except a District bank)”.
(h) in subsection (j)(2)(C) by striking “(except a District bank)”; and
(j) by re-designating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

SEC. 105. ADMINISTRATION OF CORPORATION

Section 7(a)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1817(a)(1)) is amended by striking “(except a District bank)”.

TITLE II --- AMENDMENT OF OTHER RELEVANT FEDERAL ACTS

SEC.201. NATIONAL HOUSING ACT

Section __ (s)(5) of the National Housing Act (12 U.S.C 1709(s)(5)) is amended by striking “or District bank”.

SEC.202. BANK ENTERPRISE ACT OF 1991

Section __ of the Bank Enterprise Act of 1991 (12 U.S.C. 1841) is amended by striking subsection (c)(3) and all references to “District bank”.

SEC. 203. BANK HOLDING COMPANY ACT OF 1956

Section 3(b)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(b)(1)) is amended by striking “or a District bank”.

SEC. 204. BANK PROTECTION ACT OF 1968

Section __ (1) of the Bank Protection Act of 1968 (12 U.S.C. 1881 (1)) is amended by striking “and district banks”.

SEC. 205. MANAGEMENT INTERLOCKS REVISION ACT OF 1988

Section __ of the Management Interlocks Revision Act of 1988 (12 U.S.C. 3206) is amended by--

(a) striking subsection (1); and

(b) redesignating subsections (2), (3), (4), (5) and (6) as subsections (1), (2), (3), (4) and (5), respectively.

SEC. 206. SECURITIES EXCHANGE ACT OF 1934

(a) Section 3(a)(34) of the Securities Exchange Act of 1934 (15 U.S.C. 78c) is amended ---

(i) in subsection (A)(i) by striking “or a bank operating under the Code of Law for the District of Columbia”;

(ii) in subsection (B)(i) by striking “or a bank operating under the Code of Law for the District of Columbia”;

(iii) in subsection (C)(i) by striking “or a bank operating under the Code of Law for the District of Columbia”;

(iv) in subsection (D)(i) by striking “or a bank operating under the Code of Law for the District of Columbia”;

(v) in subsection (F)(i) by striking “or a bank operating under the Code of Law for the

1 District of Columbia”;

2 (vi) in subsection (G)(i) by striking “a bank in the District of Columbia examined by the
3 Comptroller of the Currency,”; and

4 (vii) in subsection (H)(i) by striking “or a bank in the District of Columbia examined by
5 the Comptroller of the Currency”.

6 (b) Section 12 (i) of the Securities and Exchange Act of 1934 (15

7 U.S.C. 781(i)) is amended by striking “and banks operating under the Code
8 of Law for the District of Columbia”.

9 This division may be cited as “District of Columbia Omnibus Authorization Act, 2004”.

10
11
12 Sec. 4. This act shall take effect as provided in section 446 of the District of Columbia
13 Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code, sec. 1-204.46).
14
15
16
17